

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

WILLIE JAMES SMITH,)
)
 Petitioner,)
)
 v.) 1:12CV812
) 1:03CR107-1
UNITED STATES OF AMERICA,)
)
 Respondent.)

ORDER

On August 10, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections [Doc. #71] to the Recommendation within the time limit prescribed by Section 636. The Court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #69], which is affirmed and adopted.

IT IS THEREFORE ORDERED that Petitioner's Motion to Amend [Doc. #65] is DENIED, that Petitioner's Motion to vacate, set aside or correct sentence [Doc. #49] is DENIED, and this action is DISMISSED, and that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural

ruling, a certificate of appealability is DENIED.

This the 21st day of September, 2015.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge